



**MINUTES OF A REGULAR MEETING OF THE  
UPLAND PLANNING COMMISSION HELD  
WEDNESDAY, JANUARY 22, 2020  
AT 6:30 P.M.**

**CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING**

*Chair Aspinall* called the Regular Meeting of the Upland Planning Commission to order in the Council Chambers of the Upland City Hall at 6:30 P.M.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by *Vice Chair Schwary*.

**ROLL CALL**

MEMBERS PRESENT: Commissioners Brouse, Novikov, Walker, Vice Chair Schwary, and Chair Aspinall

MEMBERS ABSENT: Commissioner Anderson

ALSO PRESENT: Development Services Director and Planning Commission Secretary Dalquest, Contract Planning Manager Poland, Associate Planner Winter, Senior Administrative Assistant Davidson, Deputy City Attorney Shah

**APPROVAL OF MINUTES**

Moved by *Vice Chair Schwary*, to approve of the minutes of the Planning Commission meeting of December 11, 2019.

The motion was seconded by *Commissioner Walker*.

The motion carried by the following vote:

AYES: *Commissioners Brouse, Novikov, Walker, Vice Chair Schwary, and Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Anderson*

**COUNCIL ACTIONS**

*Development Services Director Dalquest* provided a brief follow up on the January 13<sup>th</sup> Council Meeting, noting the Council approved the 2019 Edition of the California Building Code into the Upland Municipal Code.

**ORAL COMMUNICATIONS**

*Chair Aspinall* stated this is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from acting on items not listed on the agenda.

Noting there were no members of the public wishing to address the Commission, *Chair Aspinall* closed the oral communications.

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**PRESENTATION REGARDING AFFORDABLE HOUSING**

*Development Services Director Dalquest* briefly introduced the item and referred the presentation to *Development Services Manager Chavez*.

*Development Services Manager Chavez* presented the details of the item, including the history of affordable housing in the City of Upland during the Redevelopment period; housing programs that came about during the Redevelopment period; City Council's role as the housing Successor Agency as of 2012; requirements for the distribution of housing funds; number of affordable housing units in the City; Regional Housing Needs Allocation; barriers of developing new affordable housing in the City; rent schedule; new Bills in 2018 and 2019 to assist in the production of affordable housing; loss of local control; and the rising cost of land and building materials.

*Chair Aspinall* requested the power point presentation be made available for the public.

*Development Services Manager Chavez* indicated that the power point presentation will be placed on the City's website.

*Vice Chair Schwary* thanked *Development Services Manager Chavez* for her presentation.

*Chair Aspinall* inquired as to the tie between the affordable housing discussion and Accessory Dwelling Units (ADU's).

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* indicated that new legislation was being reviewed and incorporated into the draft ADU Ordinance, which he anticipates will come before the Planning Commission for review at the February meeting.

**PUBLIC HEARINGS**

- PUBLIC HEARING FOR SPECIFIC PLAN REVIEW NO. 18-02, GENERAL PLAN AMENDMENT NO. 18-04, ZONE CHANGE NO. 18-04, TENTATIVE TRACT NO. 20245 (TT-18-03), SITE PLAN NO. 18-10, DESIGN REVIEW NO. 18-14, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. 0070. (Continued from December 11, 2019).**

A proposed Specific Plan Review and related Planning Entitlements for the development of 65 single-family detached homes, private open space land uses and infrastructure improvements to serve the development.

Project Location: North side of E. 15<sup>TH</sup> Street, south of the Upland Hills Country Club, and approximately 0.25 miles east of North Campus Avenue. APN: 1045-121-04.

STAFF:	Joshua Winter, Associate Planner
APPLICANT:	FH II, LLC (Frontier Homes) 2151 E. Convention Center Way #100 Ontario, CA 91764
RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Move to adopt a Resolution of the Planning Commission of the City of Upland, recommending that the City Council approve the Mitigated Negative Declaration, Specific Plan Review No. 18-02, General Plan Amendment No. 18-04, Zone Change No. 18-04, Tentative Tract No. 20245 (TT-18-03), Site Plan No. 18-10, and Design Review No. 18-14.
COUNCIL HEARING REQUIRED:	Yes
APPEAL PERIOD:	N/A

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*Associate Planner Winter* presented the details of the report, including background; location; and scope of the project. He also addressed public comments received at the previous hearing, including concerns related to the public notice and indicated that the project was re-noticed. He spoke about the operation and stability of the basin, noting redesign of the basin and additional geotechnical analysis was conducted. He addressed concerns related to the traffic generated by the project via new residents and construction, and reported the findings of the traffic analysis and trip generations; he added that there is a Condition of Approval related to phasing construction traffic. He also addressed concerns related to traffic mitigation measures, noting a Condition of Approval related to the possibility of opening up 15<sup>th</sup> Street to a private drive aisle. He spoke about biological concerns brought up by residents at the previous hearing, noting that a response from the biologist was included as part of the Response to Comments for the Mitigated Negative Declaration. He spoke about concerns related to the integration into the existing neighborhood; density and alignment with the General Plan; and staff recommendations.

*Chair Aspinall* requested the Developer discuss the change in the spillway.

*Commissioner Brouse* indicated he reviewed the audio, draft minutes and meeting materials of the December 11, 2019 meeting and is familiar with the presentation and public comments made at said meeting; and as such, is prepared to hear and vote on the item this evening.

*Chair Aspinall* requested clarification on the requirements of the Developer should there be any damage to the City streets as a result of construction traffic.

In response to *Chair Aspinall's* inquiry, *Associate Planner Winter* indicated that there is a standard Condition of Approval assessed by Public Works that asserts that any damage to the public right-of-way will have to be repaired prior to the issuance of the Certificate of Occupancy.

*Chair Aspinall* opened the public hearing.

*Tim Nguyen*, applicant, provided a presentation and spoke about the housing crisis in Southern California; provided a brief overview of his previous presentation; previous projects in the City of Upland; spoke about concerns regarding the development blocking mountain views and provided prospective views of the project; illustrated the buffer between existing homes and the proposed development; spoke about community outreach and concerns; provided project renderings; spoke about the improvement of 15<sup>th</sup> Street with pedestrian sidewalks and parkways; provided renderings of the new entrance to the basin; revenue generation for the City; indicated that the development is categorized as moderate housing; and spoke about his Company's experience in development in the Inland Empire.

*Vice Chair Schwary* inquired as to the accuracy in the rendering displayed regarding the mountain views.

In response to *Vice Chair Schwary's* inquiry, *Tim Nguyen* reviewed the renderings and spoke about measures taken to address concerns brought up at the previous public hearing.

*Chair Aspinall* inquired as to the current and proposed location of the spillway within the development.

*Scott Gilbert*, Proactive Engineering, project engineer, indicated the existing spillway is an outlet structure at the west end of the basin near 15<sup>th</sup> Street; and the proposed revised spillway is further to the east near Grove Avenue. He indicated the change in placement had to do with the change in the operation of the basin to the east; and spoke about a previous City-commissioned report which proposed the spillway to come out of the intersection which is the proposed entrance to the project. He indicated that this proposal would not work with the project, and the spillway was effectively relocated to Grove. He reiterated the spillway was only for events in excess of 200-500 year storms.

*Chair Aspinall* inquired as to normal conditions and water runoff.

In response to *Chair Aspinall's* inquiry, *Scott Gilbert* indicated that residents should not see any additional runoff under normal conditions.

*Commissioner Walker* inquired as to the impact of property values to surrounding homes.

In response to *Commissioner Walker's* inquiry, *Tim Nguyen* spoke about other projects in the City of Upland and comparison of property values before, during, and after construction. He indicated with other projects in the area,

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property values were positively increased at a rate of 40% after the construction of new developments.  
*Chair Schwary* inquired as to price points for the new homes.

In response to *Vice Chair Schwary's* inquiry, *Tim Nguyen* indicated that it is still too early in the process to explore price points for the homes.

*Kathy Carter*, resident, provided a PowerPoint for the record, and spoke about trees planted and fencing along 15<sup>th</sup> Street between 13<sup>th</sup> Avenue and Fernando Street, and subsequent death of the trees due to lack of watering as a result of the responsibility not being designated. She also expressed concern for poor planning; lack of privacy; impacted views; safety; and home-building on a man-made hill. She also suggested the Planning Commission wait to review the project to see what weather conditions are present in non-drought years; building homes on a solid foundation; planting trees which wouldn't destroy sidewalks or block mountain views; and review entrances to the gated community.

*David Hardesty*, resident, displayed maps for the record and expressed concerns with the relocation of the spillway; spoke about alternate methods to eliminate water coming down from 19<sup>th</sup> Street; suggested the flood control be left on the west side; spoke about the history of the storm drain in the area; and suggested the project be moved to the east side of the flood control basin.

*Alex Hwang*, resident, expressed concerns for the Developer's demeanor towards houses along 15<sup>th</sup> Street; lack of affordability of houses in the development; building of houses in the roadway; proximity of development to his home; lack of privacy; housing values; loss of wildlife; obstruction of views to his home; and requested the Planning Commission evaluate impacts to the existing neighborhood.

*Roger Flores*, resident, spoke about the Regional Housing Needs Allocation (RHNA) requirements and noted the development is not in alignment with said requirements such as available land, noting that the flood control channel is not suitable land; and proximity to public transportation and jobs. He spoke about his opposition to the General Plan Amendment and Zoning Change; indicating that the change in the flow of water will not help the City's water table. Additionally, he expressed concerns with purchasing water in drought conditions, and impacts to the ecosystem of the area. He also thanked the Planning Commission for their service to the community.

*Shari Wasson*, resident, spoke about walking along 15<sup>th</sup> Street to observe wildlife; the response to concerns related to impacts to the wildlife as a result of the proposed development; history of species in the area impacted by the development of surrounding natural habitats; the active support of native plants and animals by the land which is being proposed for the development; natural heritage of the City; suggested the land for the development be substituted for another area in the City which will not impact the wildlife; and urged the preservation of the area.

*Joe Hudson*, resident, spoke about the history of the property; expressed concerns for traffic in the area in proximity to his driveway; questioned the accuracy of the traffic report; suggested the Commissioners visit the site to understand the resident's concerns; and requested the project be modified to take into account the concerns of the existing residents in the area.

*Michael and Kaylene Barker*, residents, expressed concerns with existing traffic in the area and additional traffic impacts with the new development. They also spoke about the proposed code changes and the inability for current residents to build two-story dwellings; expressed concerns with elevation projections as displayed; and the poor condition of the streets.

*Denise Greenberg*, resident, spoke about impacts to the Golf Course and expressed concerns with sewer connections; redirection of water to the drainage ditch; requested the fence be at least an 8-foot block wall; and noted impacts of the development on Golf Course revenue. She also expressed concerns with green space in the development; flood control drainage; road replacement; and requested the Planning Commission deny the project.

*Sandra Sidders*, resident, requested the Planning Commission deny the project; spoke against building high density housing on top of an existing basin; General Plan provisions; increase in traffic in the area; impact of the development on the street-level view of the existing community; FEMA flood zone maps and the potential for existing homeowners to be required to purchase flood insurance; history of flooding in the area; quality of life for the current residents; and responsibility of the City should the area be impacted by future flooding. She also spoke about the validity of the traffic study conducted and poor road conditions in the area.

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*Tina Flores*, resident, expressed concerns for impacts of the development to the existing neighborhood, including impacts to the wildlife in the area, and requested the Planning Commission deny the project. She also expressed concern for the potential impact of traffic in the area as a result of the proposed development.

*Michael Hayward*, resident, expressed concerns with the creation of the two-way alley along 15<sup>th</sup> Street; trash in the area; and indicated that the project is not conducive to the existing neighborhood. He also requested the Planning Commission deny the proposal.

*Marci Callejo*, resident, expressed concerns with the traffic analysis in the area; requested traffic be further studied; and suggested that impacts on air quality in the area be explored.

*Joel Bradley*, resident, indicated he spoke with staff and was assured that nothing on the Golf Course would be changing. He also expressed concerns with the height level of the actual development once construction is completed; spoke about the development on Campus across from the Fire Station; and expressed concerns with guest parking.

*Joshell Coffey Koliva*, resident, spoke about the impacts to her home due to the proposed development; spoke about the work of the community to keep the area of 15<sup>th</sup> Street clean; road conditions; previous flooding zones; and spoke in opposition to the project.

*Mustafa Koliva*, resident, spoke about historical floods in the area; the potential for flooding; expressed concerns with privacy in his yard due to the development; noted impacts to views of the community; and spoke in opposition to the project. He also expressed concerns with parking in the area as a result of the development.

*Logan Zappia*, resident, spoke in opposition to the project and expressed concerns for the wildlife in the area.

*Dante Zappia*, resident, spoke in opposition to the project; and expressed concerns for the biodiversity in the flood control zone should the project be developed. He spoke about his previous correspondence, and expressed concerns for bicycle safety in the area; and traffic and safety on 13<sup>th</sup> Street adjacent to Foothill Knolls School.

*Vice Chair Schwary* commended *Logan and Dante Zappia* for speaking.

*Paul Sammis*, resident, spoke in opposition to the project; and expressed concerns with changing storm drain patterns to run water out of the new development through the existing neighborhood. He also expressed concerns with speed through Grove Avenue and the potential for increased traffic near Foothill Knolls. He inquired as to Fire Department review of the project, and expressed concerns for maintaining the retention basin and water supply. He also spoke about historical flooding in the area and expressed concerns for the potential of future flooding; and inquired as to truck paths for the development.

*Philip Ferree*, resident, thanked the Commission for hearing the public's concerns and spoke about the City's position with regards to the land transaction and history with the Colonies project. He also spoke about the lack of communication and public outreach from the developer during the process and expressed concerns with the elevations of the proposed development; impacts on the view; and impacts of potential waterflow down Grove Avenue.

*Jaime Romero*, resident, expressed concerns with the potential for flooding of the existing neighborhood based on the reduction of catch basins due to the construction of the proposed development.

*Caryn Zappia*, resident, expressed concerns with the inconsistencies in the development proposal; including blending in with the existing community; two-story homes; and zoning lot sizes. She also expressed concerns with the traffic impacts throughout the existing neighborhood, particularly Fernando Avenue; requested the traffic be further studied; and indicated that the property maintenance is the responsibility of the owner and builder.

*David Hammer*, resident, expressed concerns with the architectural design of the proposal and spoke about the need for one-story homes. He also expressed concerns with the site plan as it relates to room for sidewalks and urged the Commission to make a decision related to cleaning up 15<sup>th</sup> Street prior to the approval of the project. He also expressed concerns with construction trucks going through the neighborhood; the elimination of the basin and habitat; and proposed that the City develop the site into a conservation area.

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*Chris Jackson*, resident, played a short video for the Commission taken in January 2019 which depicted the reservoir full, and expressed concern with the Developer's photographs depicting the basin dry. He also reported reviewing the 2018 geotechnical study, and expressed concern with the time of year the tests were conducted and the findings with regards to reaching the proper depths on the site. He also expressed concerns with water coming over the spillway on Grove Street.

*Colin Kesterson*, resident, spoke about the families in his neighborhood and expressed concerns with the increased traffic and speed in his neighborhood through Alta Avenue. He requested the Commission explore opening 15<sup>th</sup> Street to alleviate traffic hazards on Alta Avenue.

*Mark Walters*, resident, spoke about the lack of public notice and expressed concerns with property values; traffic studies; funding for increased public safety services in the area; and construction truck traffic. He also indicated he feels that an EIR was necessary for the project.

*Steve Sturgis*, resident, spoke about the poor road conditions on Grove Avenue and the potential impact to the road that construction trucks will have as a result of this development. He also expressed concerns with the property values as a result of the development and potential conflicts of interest should the project be approved.

*Rudy Carl*, resident, spoke about the berm at the proposed entrance of the project and concerns regarding whether the proposed 2-story homes blend in with the existing neighborhood. He suggested the project be developed in the adjacent ravine, out of sight of the current neighborhood. He also suggested the developer remove the berm.

*Commissioner Walker* inquired as to the building materials that will be used in the development and asked the applicant whether they would be open to utilizing permeable concrete or similar materials. She also inquired about the potential for moving the greenspace in the area behind the seven (7) homes in question to maintain the quality of life for those homes impacted. She also inquired if the developer has plans to mitigate the existing pothole issue, and whether the traffic study took into account impacts of construction traffic in the area.

In response to *Commissioner Walker's* inquiry, *Tim Nguyen* indicated they would explore the option of incorporating permeable concrete. He also indicated that concerns for the privacy for the seven (7) homes in question were addressed, and indicated that a 120-foot buffer between the existing homes and the proposed development was incorporated. Additionally, *Nguyen* added there is a Condition of Approval which address construction traffic.

In response to *Commissioner Walker's* inquiry, *Associate Planner Winter* indicated that there is a standard Condition of Approval with indicates that damages caused by the developer would be required to be repaired, and existing potholes would be the responsibility of Public Works to repair. He also indicated staff can explore the option with Public Works to repair potholes in the area prior to construction to be able to determine the damage caused directly by construction traffic.

*Commissioner Walker* requested staff make resident concerns with regards to conditions of the roadway a priority should the project move forward.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated should the project move forward, staff would address the issue with the Developer prior to construction.

*Commissioner Walker* inquired whether there is an opportunity for an enhanced traffic signal that would allow a turning signal at 14<sup>th</sup> and Campus to better mitigate traffic in the area.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated that the Public Works Department would have to investigate phasing or alternate methods for the intersection.

*Commissioner Novikov* inquired whether the Developer would consider changing the model of the development to single-story homes as well as lowering the total number of homes to be developed as part of the proposal.

In response to *Commissioner Novikov's* inquiry, *Tim Nguyen* indicated that single-story homes were considered, however for this development, it was identified that there is demand in the area for two-story homes.

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*Vice Chair Schwary* requested the Developer consider holding a Town Hall meeting to work with the residents through their concerns. He also further inquired as to the storm wells and dry wells in the proposed development and related impacts to the existing neighborhood.

Terry Renner, Consultant, City Engineer, indicated that the project meets all County requirements for flood control basin, and indicated that the County requires the basin be designed to withstand a 100-year storm event with no overflow based on rain levels in the area. He also indicated runoff designs have not been completed, however, there is a Condition of Approval which indicates all County and City requirements be met related to flood control release. Additionally, he clarified the floodwater for a 100-year even will be maintained within the basin, and explained the definition of a 100-year event in contrast to a normal storm event.

*Chair Aspinall* requested the Developer explore the use of native flora and fauna within the development. She also concurred with *Commissioner Walker's* comment with regards to adding an enhanced traffic signal at the intersection of 14<sup>th</sup> and Campus. She also encouraged the Developer to keep the existing neighborhood informed in all phases of the project, should the project be approved.

Seeing no further members of the public wishing to address the Commission, *Chair Aspinall* closed the public hearing.

*Commissioner Novikov* inquired as to the demand for two-story homes in the City and requested confirmation that the City once promised residents that the basin would not be developed.

In response to *Commissioner Novikov's* inquiry, *Development Services Director Dalquest* indicated the market study was conducted by the Developer. He also indicated that he is unable to confirm the information, as this information predates staff's involvement.

*Commissioner Walker* reiterated concerns for roads and traffic in the area. She requested staff prioritize fixing the roads as to not have construction further exacerbate the issue.

*Chair Aspinall* strongly encouraged staff to evaluate the possibility of continuing 15<sup>th</sup> Street. She also inquired as to the frequency of the evaluation of the storm drains throughout the City.

In response to *Chair Aspinall's* inquiry, *Interim City Manager Hoerning* indicated that prior to the consideration of the project, a hydrology study was conducted on the existing basin to determine if the project would be viable. She indicated the study was part of the entitlement process, and should the project be approved, as a prerequisite, the Developer would be responsible for preparing plans and specs and completing storm drain system which would address storm water from their property and the remainder of the basin. She also indicated the City monitors catch basins after the summer season annually; however there have been minimal new projects. She also noted that with 100-year events, all water should be maintained within the basin and development, and not onto City streets. Additionally, she indicated it is normal design criteria to utilize public right-of-way for stormwater runoff.

In response to *Commissioner Walker's* inquiry, *Interim City Manager Hoerning* indicated the City does address pothole repair; however, the City recognizes Grove is in a state of disrepair and the current CIP program is set to address improvements on Grove. She also indicated temporary repairs can be made to the roadway, and noted opportunity to work with the Developer to ensure that Grove remains in a state of better repair through the construction process.

*Vice Chair Schwary* spoke about his experience on the Planning Commission and assured the community that the Commission takes a well-rounded approach, including taking into account public testimony, prior to decision-making.

*Deputy City Attorney Shah* spoke about the Political Reform Act with regards to conflicts of interest in approving General Plan Amendments.

*Chair Aspinall* moved to adopt a Resolution of the Planning Commission of the City of Upland, recommending that the City Council approve the Mitigated Negative Declaration, Specific Plan Review No. 18-02, General Plan Amendment No. 18-04, Zone Change No. 18-04, Tentative Tract No. 20245 (TT-18-03), Site Plan No. 18-10, and Design Review No. 18-14.

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The motion was seconded by *Commissioner Walker*.

The motion failed by the following vote:

AYES: *Commissioner Walker and Chair Aspinall*

NAYS: *Commissioners Brouse, Novikov and Vice Chair Schwary* ABSTAINED: *None*

ABSENT: *Commissioner Anderson*

The Planning Commission recessed at 9:44 p.m.

The Planning Commission reconvened at 9:50 p.m.

*Deputy City Attorney Shah* directed the Planning Commission that an alternate motion may be made as the previous motion failed. She outlined appropriate next steps for the Planning Commissioners to take based on the failure previous motion and indicated that the Commission must give clear direction to Staff on how to draft a subsequent resolution.

*Vice Chair Schwary* moved to adopt a Resolution of the Planning Commission of the City of Upland, recommending that the City Council deny the Mitigated Negative Declaration, Specific Plan Review No. 18-02, General Plan Amendment No. 18-04, Zone Change No. 18-04, Tentative Tract No. 20245 (TT-18-03), Site Plan No. 18-10, and Design Review No. 18-14, based on findings on public input and the Planning Commission's comments at their meeting of January 22, 2020.

The motion was seconded by *Commissioner Brouse*.

The motion carried by the following vote:

AYES: *Commissioners Brouse, Novikov and Vice Chair Schwary*

NAYS: *Commissioner Walker and Chair Aspinall* ABSTAINED: *None*

ABSENT: *Commissioner Anderson*

**2. PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO. 19-05, SITE PLAN NO. 19-02, DESIGN REVIEW NO. 19-02, TENTATIVE PARCEL MAP NO. 19-01, AND ENVIRONMENTAL ASSESSMENT REVIEW NO. 0079. (Continued from December 11, 2019).**

The proposed project is for the demolition of an existing building and development of 60 townhouse apartments within eleven buildings.

Project Location: 760 Mesa Court, APN: 1046-102-130.

STAFF:	Joshua Winter, Associate Planner
APPLICANT:	Soroush Rahbari 4790 Irvine Boulevard #105-276 Irvine, CA 92620



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RECOMMENDATION:	That the Planning Commission: 1. Receive staff's presentation; and 2. Hold a public hearing and receive testimony from the public; and 3. Find the project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15332, In-Fill Development Projects, Class 32 (a-e), of the California Environmental Quality Act; and 4. Move to adopt a Resolution approving Conditional Use Permit No. 19-05, Site Plan No. 19-02, Design Review No. 19-02, and Tentative Parcel Map No. 19-01, subject to conditions of approval as set forth in the Draft Resolution dated January 22, 2020.
COUNCIL HEARING REQUIRED:	No
APPEAL PERIOD:	10 days, ending February 3, 2020.

*Associate Planner Winter* presented the details of the staff report, including background on the previous hearing; Public Works recommendations, including parking restrictions on Campus Avenue and striping measures; the applicant's on-site parking plan; updates on the paint palette; CEQA findings; and staff recommendation.

*Vice Chair Schwary* thanked the applicant for taking the Commission's concerns into consideration with the revised proposal.

*Chair Aspinall* opened the public hearing.

*Greg Powers*, applicant, spoke about the color scheme of the proposal and surrounding property.

*Commissioner Walker* commented positively on the applicant's on-site parking plan and inquired as to enforcement measures.

In response to *Commissioner Walker's* inquiry, *Greg Powers* indicated when a lease is signed, the on-site property manager will check for valid insurance and registration.

*Commissioner Brouse* indicated he reviewed the audio, draft minutes and meeting materials of the December 11, 2019 meeting and is familiar with the presentation and public comments made at said meeting; and as such, is prepared to hear and vote on the item this evening.

*Dorothy Strahm*, adjacent owner, expressed concerns with the site plan in the alleyway as it relates to space for her building's trash bins. She also inquired whether the applicant would be willing to grant an easement so a gated enclosure for the trash bins could be built.

*Development Services Director Dalquest* indicated that the City would be more than happy to meet with *Dorothy Strahm* in order to mitigate the issue of the placement of trash bins for her building.

*Yvonne Zuchowski*, resident, spoke about the traffic and stray animals in her neighborhood; she also expressed concerns with street parking as a result of the development; and requested the applicants conduct additional environmental studies for the project.

*John Zeegers*, resident, expressed concerns with the additional traffic from the proposed developments on Campus; existing traffic in the area due to St. Josephs School and San Antonio Hospital; people cutting through and speeding through Mesa Court; and disagreed with the findings from the traffic study. He also expressed concerns with parking and access in the proposed development, and overcrowding of local schools with the additional homes.

*Natasha Walton*, resident, indicated she does not feel this project is categorically exempt under the exemption provided. She also expressed concerns with the site plan as it relates to recreational space in the development; lack of shade trees proposed; condensed nature of the proposal; public transportation; and suggested an initial study be

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conducted. She also expressed concerns with public outreach for this project and requested the lighting be required to be dark sky compliant.

*Deneen Riley*, resident, expressed concerns with traffic and the elimination of parking on parts of Campus. She also expressed concerns with the re-routing of traffic through Mesa Court; increase in traffic due to construction trucks and additional housing units; and inquired as to the responsibility to construct the project based on the renderings displayed at public meetings.

*Terri D*, resident, expressed concerns with parking in the new development and requested the Developer consider tiered parking. She also expressed concerns with safety at the crosswalk at Campus and Mesa Court; requested the crosswalk be made more visible; and suggested the use of audible equipment to assist the visually impaired at the crosswalk. She also displayed a video of the crosswalk at Campus and Mesa Court.

*Janice Baskin*, resident, expressed concerns with parking along Mesa Court; visitor parking within the development; and density of the proposal.

*Greg Powers*, applicant, indicated the proximity of the proposal to major employers and shopping in the City will allow residents to walk to work and shops. He also noted proximity to public transportation, noting opportunities for less cars due to location. He spoke about zoning and density, noting that the proposal is 15 units under the maximum density; open space meets code requirements; and spoke about the desire to keep parking close to the tenants.

*Vice Chair Schwary* inquired as to the utilization of dark sky compliant lighting.

In response to *Vice Chair Schwary's* inquiry, *Associate Planner Winter* indicated that there is a Code requirement which requires dark sky compliant or shielded lighting.

*Soroush Rahbari*, project architect, noted they have worked with the City to present an attractive project which the neighbors and City will be proud of. He spoke about strict adherence to zoning requirements and indicated the project exceeds most requirements, and indicated all concerns from the previous hearing have been addressed.

*Chair Aspinall* inquired as to the possibility of adding shade trees to the project. She also encouraged the applicant to communicate the impact of construction traffic to surrounding residents and inquired as to the possibility of the utilization of permeable concrete.

In response to *Chair Aspinall's* inquiry, *Soroush Rahbari*, indicated shade trees are already incorporated into the proposal. He also indicated they are open to utilizing permeable concrete.

Seeing no further members of the public wishing to address the Commission, *Chair Aspinall* closed the public hearing.

*Commissioner Novikov* inquired whether the zoning code could be amended to allow for the units to be considered senior assisted living housing units.

In response to *Commissioner Novikov's* inquiry, *Development Services Director Dalquest* indicated that the current zoning would require a Conditional Use Permit for senior assisted living facilities.

*Commissioner Walker* inquired as to the Commission's ability to request the applicant to explore the option of developing the project into senior assisted living units.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated that the Planning Commission cannot require the property owner to develop the project into a specific use, as the proposal meets all existing zoning requirements as submitted.

*Greg Powers*, applicant, spoke about preliminary discussion on expansions of other existing property into other healthcare facilities and other pending projects on the property separate from the proposal currently before the Commission.

**MINUTES OF A REGULAR MEETING OF THE  
UPLAND PLANNING COMMISSION**

**JANUARY 22, 2020**

*Chair Aspinall* requested clarification on the traffic study and traffic calming measures. She also inquired as to what could be done to mitigate speeding around Mesa Court.

In response to *Chair Aspinall's* inquiry, *Associate Planner Winter* clarified the findings of the traffic study with regards to trip generation and indicated the traffic calming measures were evaluated by the Public Works Director as it was determined to be an existing problematic condition.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* indicated the speeding matter would be forwarded to the Police Chief for enforcement.

*Vice Chair Schwary* moved to find the project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15332, In-Fill Development Projects, Class 32 (a-e), of the California Environmental Quality Act; and moved to adopt a Resolution approving Conditional Use Permit No. 19-05, Site Plan No. 19-02, Design Review No. 19-02, and Tentative Parcel Map No. 19-01, subject to conditions of approval as set forth in the Draft Resolution dated January 22, 2020.

The motion was seconded by *Commissioner Walker*.

The motion carried by the following vote:

AYES: *Commissioners Brouse, Walker, Vice Chair Schwary, and Chair Aspinall*

NAYS: *Commissioner Novikov* ABSTAINED: *None*

ABSENT: *Commissioner Anderson*

**BUSINESS ITEMS**

**1. UPDATE ON LANDSCAPE MAINTENANCE ISSUES AT UPLAND HILLS COUNTRY CLUB**

*Contract Planning Manager Poland* provided an update to the Commission, indicating that staff met with the City Arborist and maintenance and management from the Golf Course, noting the property has been adequately maintained and there have been no complaints with regards to the landscaping in the past four (4) months.

**FUTURE AGENDA ITEMS**

*Contract Planning Manager Poland* indicated that the February agenda is still being formulated, and indicated that the Class 41 Liquor License approvals as well as the draft Ordinance on Accessory Dwelling Units are tentatively planned. He also indicated the Commission will be meeting on February 12<sup>th</sup> to discuss the Bridge Development Project.

**COMMISSION COMMUNICATION**

*Vice Chair Schwary* wished *Development Services Director Dalquest* a happy birthday.

**ADJOURNMENT**

There being no further business to come before the Planning Commission, *Chair Aspinall* adjourned the meeting at 10:46 P.M., to the regular meeting of the Planning Commission on February 26, 2020, at 6:30 P.M.

Respectfully submitted,



Robert D. Dalquest, Secretary  
Upland Planning Commission